

Amendments to the Drawings

In accordance with 37 CFR § 1.121(d) (1), attached hereto are seven annotated sheets depicting changes made to drawing Figures 1-11. The attached Figures 1-11 have been amended to correct certain informalities.

Also attached hereto are seven replacement sheets of drawings, incorporating the changes made to Figures 1-11, which replace the drawing figures originally submitted with the application.

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, the abstract of the disclosure, the drawing figures, and claims 1-10 have been amended. New claims 11-14 have been added. Claims 1-14 are now pending in the application. Claims 1, 11, and 14 are independent. The objections and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). The drawing figures have been amended as described above in the "Amendments to the Drawings" section. The claims have been amended to more fully comply with U.S. practice. New claims 11-14 have been added to further define the scope of protection sought for Applicant's invention.

Entry of each of the amendments is respectfully requested.

35 U.S.C. § 102 (a) or (b) - WO 03/016023

Claims 1, 3-5, 7, and 9 stand rejected under 35 U.S.C. § 102(a) or (b) as being anticipated by WO 03/016023.

The Office Action asserts that "WO 03/016023 teaches lay-flat equipment for films or tubular films extruded by blown film extrusion installations, said installation comprising at least one roller 16, which guides the walls of the film or of the tubular film, wherein the lay-flat equipment comprises at least one braking device for influencing the rotational speed of the roller 16, said device comprising means B for providing a torque which can be transferred onto the roller 16 by means of transfer devices B, characterized in that the transfer devices allow a slip between the roller 16 and the devices for providing a torque, comprise a location at which the torque is transferred using a force-fit connection with hydraulic or friction coupling or magnet (i.e., pp. 1-4), wherein there are several transfer devices B (i.e., fig. 2), and wherein the transfer device transfers torque to several rollers (i.e., fig. 3)."

The rejection of claims 1, 3-5, 7, and 9 under § 102 (a) or (b) over WO 03/016023 is respectfully traversed. For at least the following reasons, the disclosure of WO 03/016023 does not anticipate Applicant's claimed invention.

Applicant's claim 1 defines a lay-flat device that includes, *inter alia*, a roller, a torque-providing device, and "a

transfer device that transfers the torque and provides for slippage between the roller and the torque-providing device." An object of the invention is to provide for slippage between the roller and the torque-providing device, thereby ensuring a smooth transfer of torque and preventing damage to the film.

WO 03/016023's lay-flat device with brakable rollers is structurally different from Applicant's claimed lay-flat equipment. Applicant respectfully submits that in paraphrasing claim 1, the examiner mischaracterizes the disclosure of WO 03/016023. Contrary to the Office Action, WO 03/016023 does not disclose "transfer devices [that] allow a *slip* between the roller 16 and the devices for providing a torque" (emphasis added). In fact, WO 03/016023 is directed entirely to *braking* of the rollers so as to prevent the formation of creases in the film, not to *providing for slippage* between a roller and a torque-providing device.

Since WO 03/016023 does not meet each feature of the claimed invention, WO 03/016023 does not anticipate the invention defined by Applicant's claim 1. Claims 3-5, 7, and 9 are allowable because they depend from claim 1, and because they each include an additional feature not met by WO 03/016023.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1, 3-5, 7, and 9 under § 102(a) or (b) based on WO 03/016023 are respectfully requested.

35 U.S.C. § 103(a) - WO 03/016023 or Sensen in view of Zulauf

Claims 1, 3, 4, 7, and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over either WO 03/016023 or U.S. Patent No. 5,912,022 to Sensen et al. (hereinafter "Sensen") in view of U.S. Patent No. 3,557,925 to Zulauf.

The Office Action asserts that "[i]t would have been obvious to one of ordinary skill in the art . . . to modify the braking device(s) of either WO 03/016023 or Sensen et al. (U.S. Patent 5,912,022) with the braking device(s) of Zulauf (U.S. Patent 3,557,925) because such braking devices are art recognized alternatives for braking rollers and because the braking device of Zulauf (U.S. 3,557,925) would enable braking by hydraulic fluid."

The rejection of claims 1, 3, 4, 7, and 9 under § 103(a) based on WO 03/016023 or Sensen in view of Zulauf is respectfully traversed. For at least the following reasons, the combined disclosures of WO 03/016023 and Zulauf, or of Sensen and Zulauf, would not have rendered obvious Applicant's claimed invention.

There is simply no teaching in either combination of references that would have led one to select the references and combine them, let alone in a way that would produce Applicant's claimed invention. Sensen has the same deficiency as does WO 03/016023, i.e., there is no disclosure of Applicant's claimed transfer device that transfers the torque and provides for slippage between the roller and the torque-providing device. Zulauf does

not rectify the aforementioned deficiency. Zulauf may disclose a hydraulic brake for conveyor rollers, but is not directed to lay-flat equipment for tubular films. Zulauf's conveyor rollers are used for the transport of articles (see Zulauf, column 1, lines 6-7). Applicant's invention is directed to lay-flat equipment that is used to collapse a hose-shaped or tubular film to a laid-flat, double-layer film. This technical field is not covered by the disclosure by Zulauf. Furthermore, as indicated above, the problem that Applicant's claimed invention overcomes is the damage to the film that is associated with conventional laying-flat equipment. Zulauf does not even suggest a solution to the aforementioned problem.

Additionally, Zulauf's element 16 (see Figure 2) can be regarded as a device for providing a torque. On page 2 of Applicant's specification it is stated that a brake mechanism is such a means for providing a ("negative") torque. Zulauf's element 12 ("gear reduction unit") shown in Figure 2 can be regarded as a transfer device. However, Zulauf's transfer device clearly shows gear wheels (see Figure 2), thus no slippage is possible.

Accordingly, there is simply no teaching in Zulauf that would have led one to combine the reference with either WO 03/016023 or Sensen in a way that would produce a device as defined by Applicant's claim 1.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1, 3, 4, 7, and 9 under § 103(a) based on WO 03/016023 or Sensen in view of Zulauf are respectfully requested.

35 U.S.C. § 103(a) - WO 03/016023 or Sensen in view of Moritake

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over either WO 03/016023 or Sensen in view of U.S. Patent No. 3,713,521 to Moritake.

The Office Action concludes that "[i]t would have been obvious to one of ordinary skill in the art . . . to modify the braking device(s) of either WO 03/016023 or Sensen et al. (U.S. Patent 5,912,022) with the braking device(s) of Moritake (U.S. Patent 3,713,521) because such braking devices are art recognized alternatives for braking rollers and because the braking device of Moritake (U.S. Patent 3,713,521) would enable braking using an electromagnet."

The rejection of claims 1-10 under § 103(a) based on WO 03/016023 or Sensen in view of Moritake is respectfully traversed. For at least the following reasons, the combined disclosures of WO 03/016023 and Moritake, or of Sensen and Moritake, would not have rendered obvious Applicant's claimed invention.

There is simply no teaching in either combination of references that would have led one to select the references and

combine them, let alone in a way that would produce Applicant's claimed invention. Moritake does not rectify the above-described deficiency of WO 03/016023 and Sensen. Moritake discloses a transport unit that belongs to the same technical field as Zulauf's device. Therefore, the teaching of Moritake would not be applied to the field of lay-flat equipment.

Furthermore, while Moritake discloses a braking device (brake disc 13c, core 13, electromagnetic coil 13b; see Figure 3) that may be considered a device for providing torque, Moritake teaches a transfer device which has gear wheels. Therefore, no slippage is possible with Moritake's device.

Accordingly, there is simply no teaching in Moritake that would have led one to combine the reference with either WO 03/016023 or Sensen in a way that would produce a device as defined by Applicant's claim 1.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1-10 under § 103(a) based on WO 03/016023 or Sensen in view of Moritake are respectfully requested.

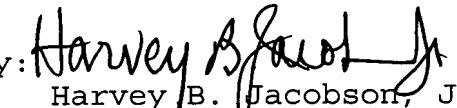
New claims 11-14 have been added to further define the scope of protection sought for Applicant's invention. New claims 11-14 are also allowable. Since each of independent claims 11 and 14 includes at least the features discussed above with respect to the rejections over the applied prior art, the references neither

anticipate nor would have rendered obvious the lay-flat device defined by any of new claims 11-14.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
Harvey B. Jacobson, Jr.
Reg. No. 20,851

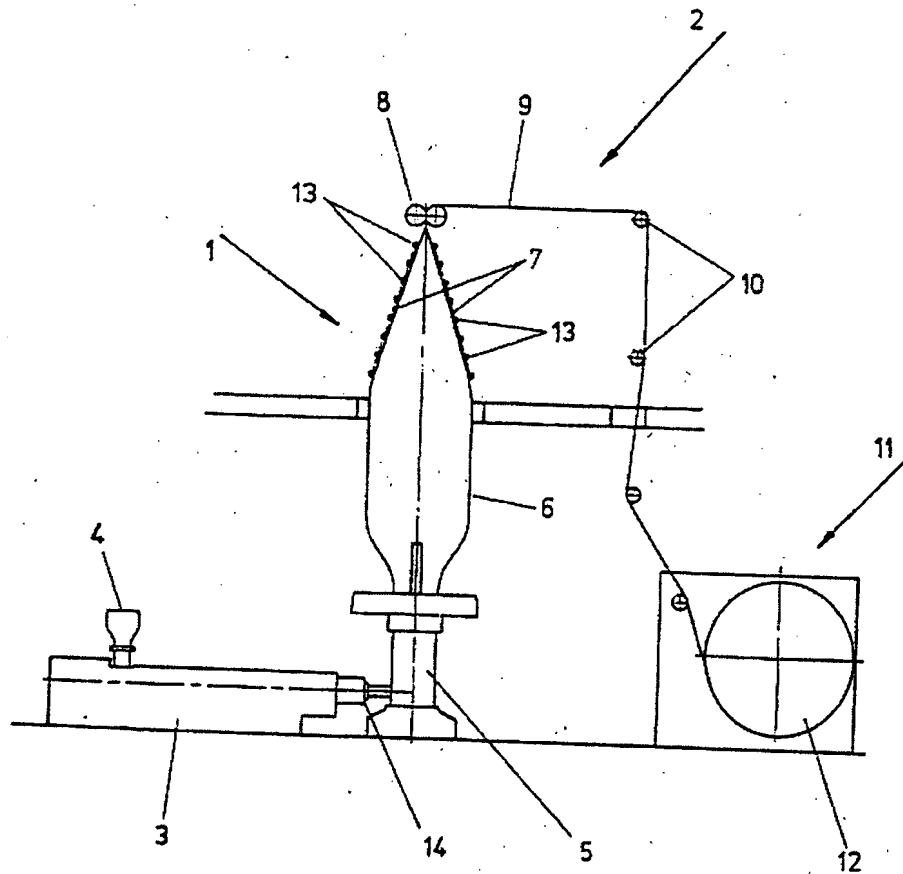
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Date: April 3, 2007



U.S. Appln. No.: 10/573,592
Atty. Docket No.: P71108US0

Annotated Sheet Showing Changes

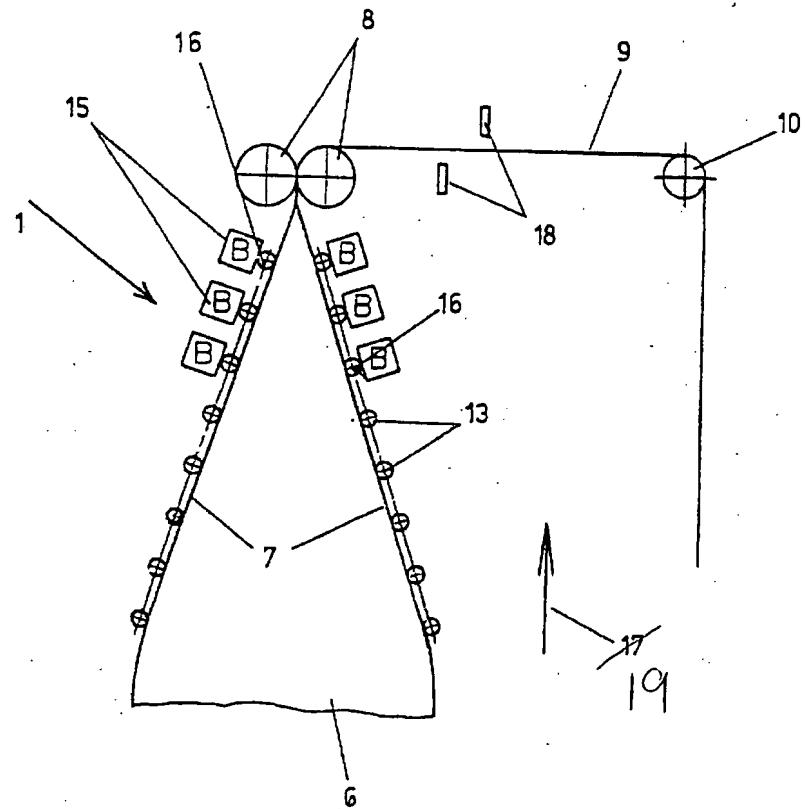
Figure 1



U.S. Appln. No.: 10/573,592
Atty. Docket No.: P71108US0

Annotated Sheet Showing Changes

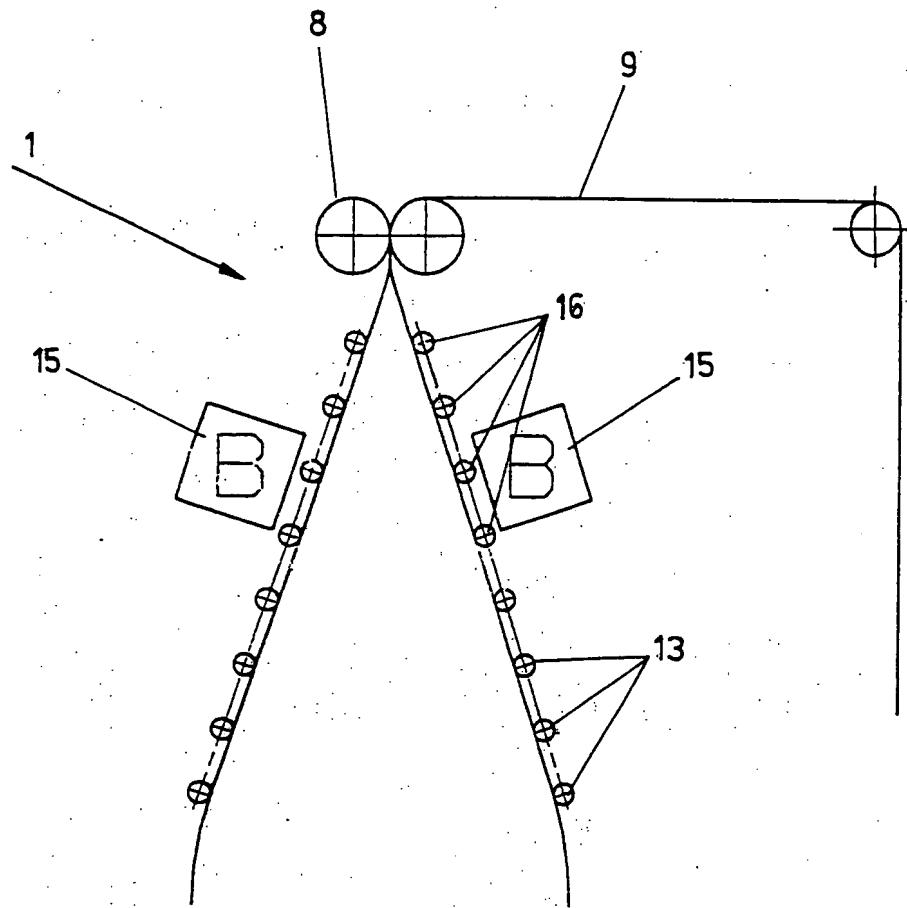
Figure 2



U.S. Appln. No.: 10/573,592
Atty. Docket No.: P71108US0

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Figure3



Annotated Sheet Showing Changes

Fig. 5

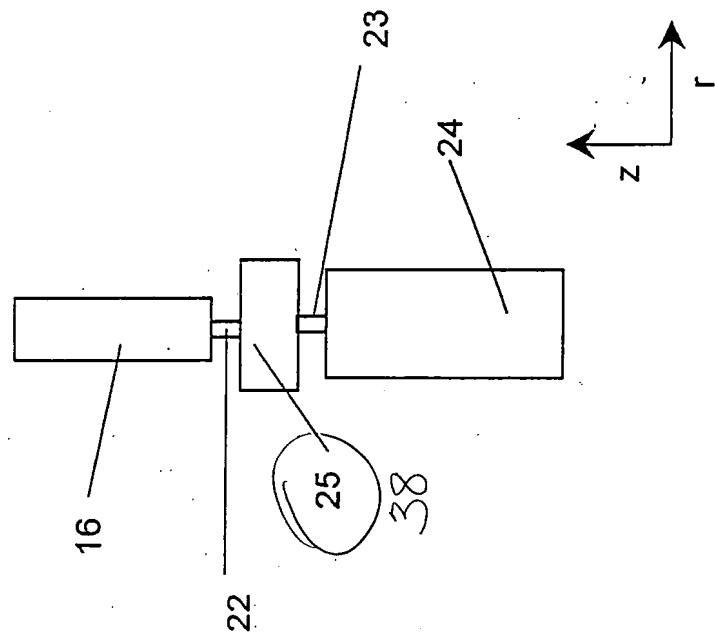
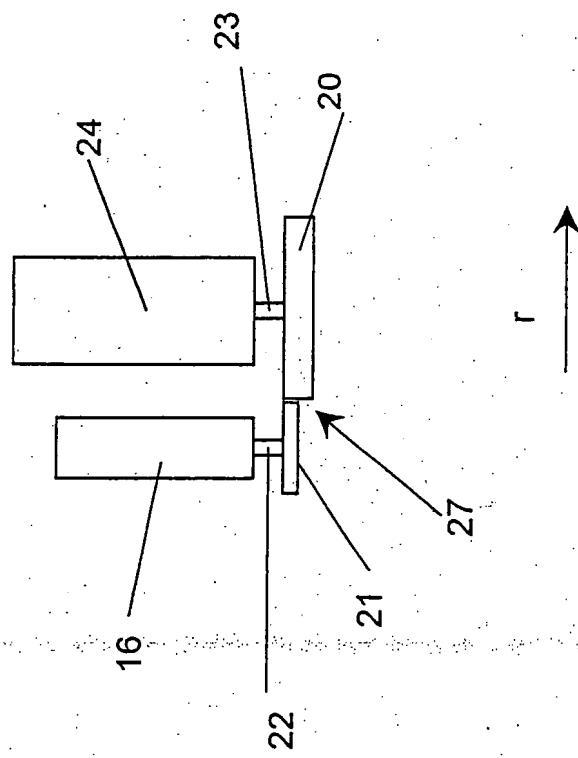


Fig. 4



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Fig. 7

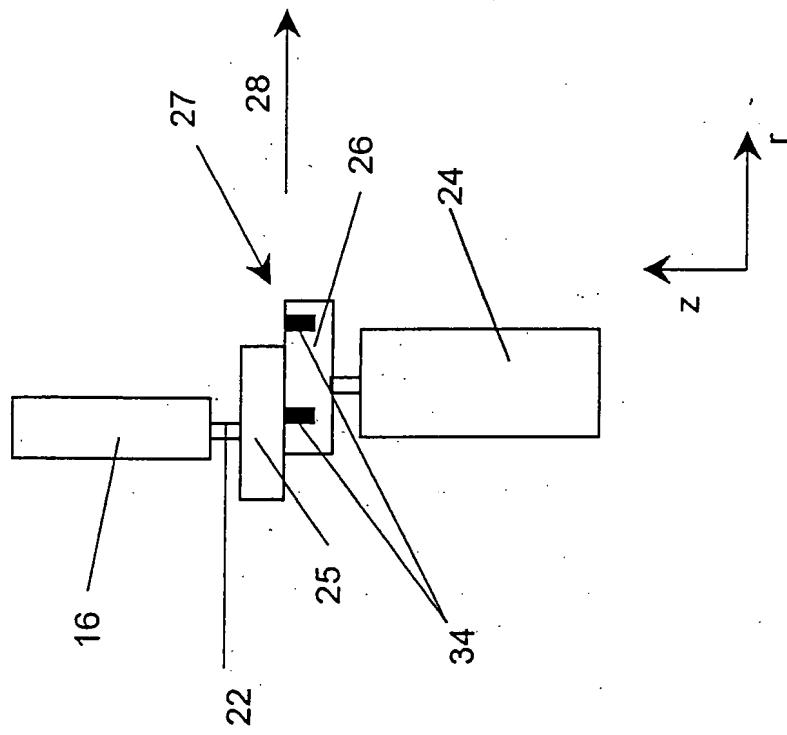
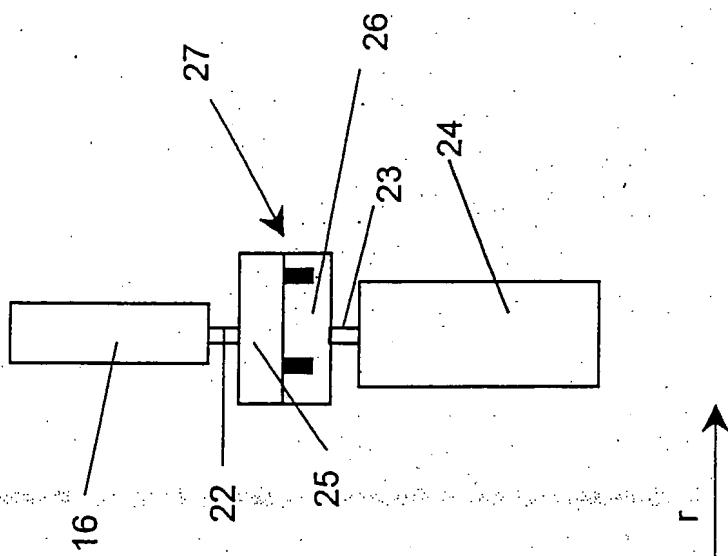


Fig. 6



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Fig. 9

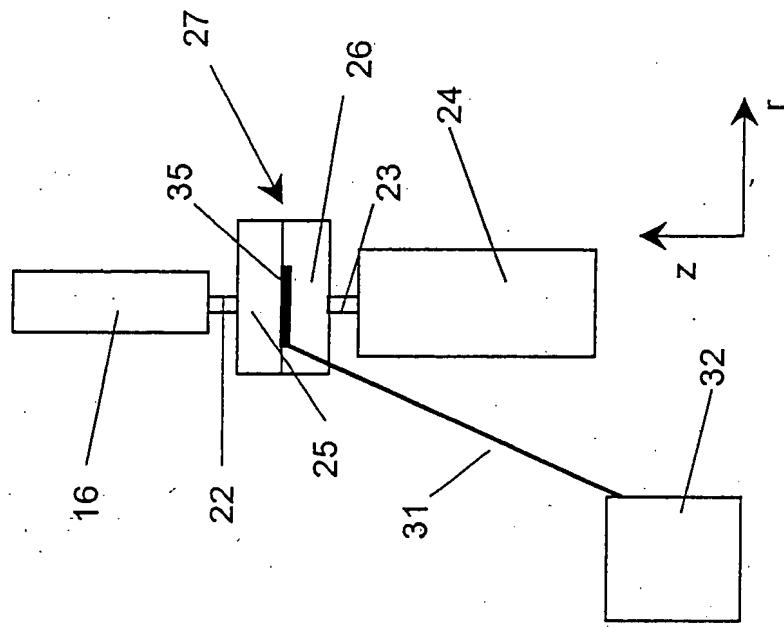
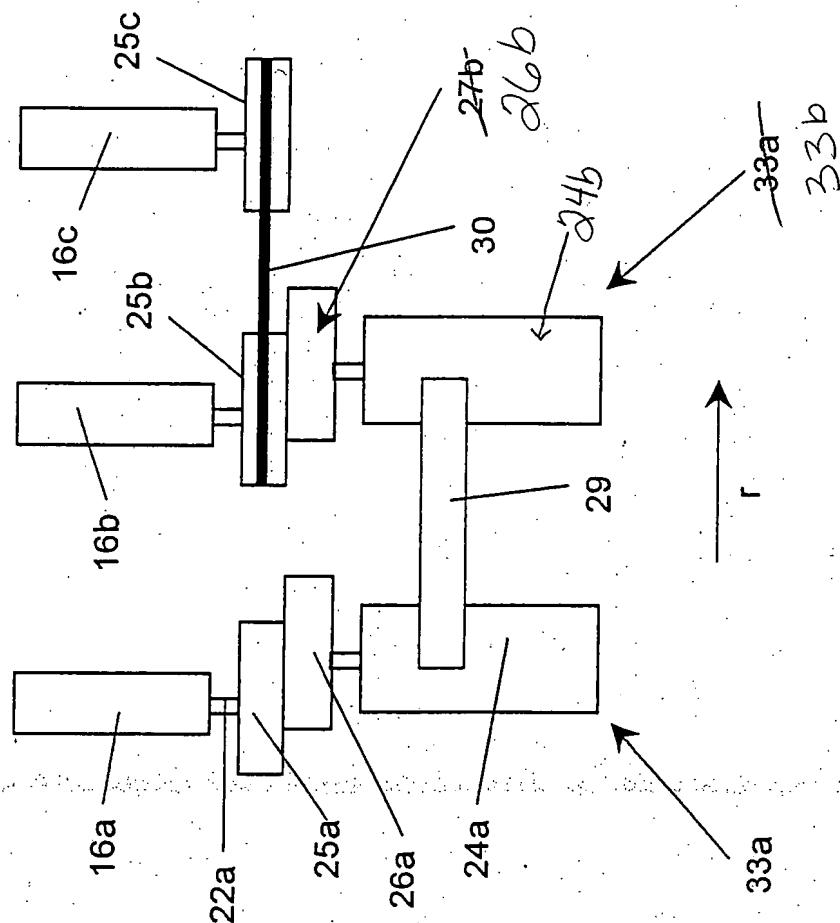


Fig. 8



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Fig. 11

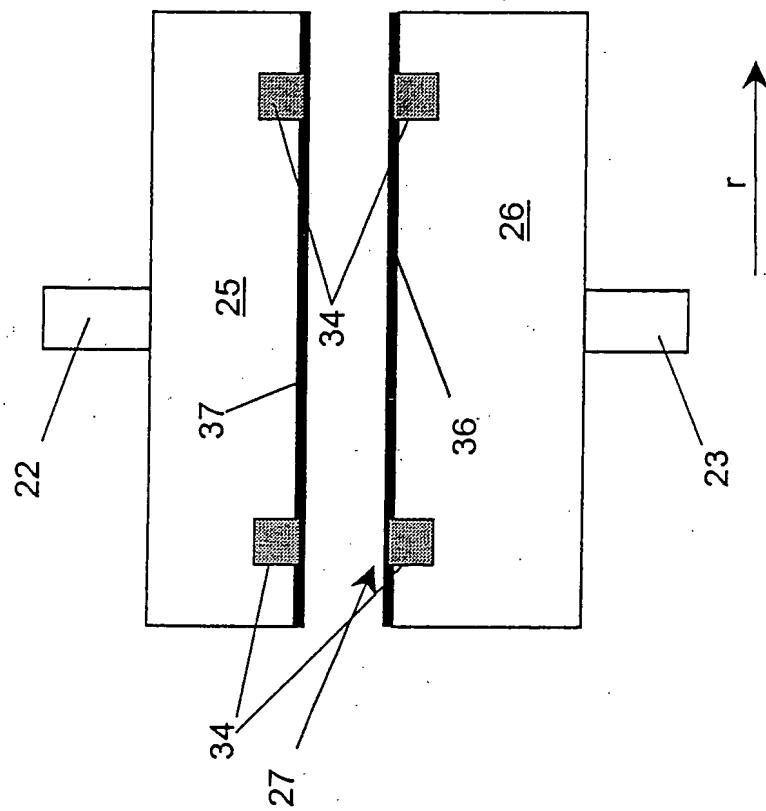


Fig. 10

